

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**CSX TRANSPORTATION, INC.,
individually and on behalf of
NORFOLK & PORTSMOUTH BELT LINE
RAILROAD COMPANY,**

Plaintiff,

v.

Civil Action No. 2:18-cv-530

**NORFOLK SOUTHERN RAILWAY COMPANY,
et al.,**

Defendants.

**JOINT MOTION FOR DISMISSAL OF
DEFENDANT CANNON MOSS AND STIPULATION**

Plaintiff CSX Transportation, Inc. (“CSXT”), and Defendants Norfolk Southern Railway Company (“NS”), Norfolk & Portsmouth Belt Line Railroad Company (“NPBL”), and Cannon Moss (“Moss”) (collectively, the “Parties”), by counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), agree to DISMISS Defendant Cannon Moss from this action, without prejudice, and with each party bearing its own attorneys’ fees and costs.

CSXT, NS and NPBL further stipulate that any final award of injunctive relief against NPBL will be followed and undertaken by the present NPBL Board of Directors and Management. As a result, the Parties attach as **Exhibit 1** an electronically endorsed copy of their Proposed Order which the Parties request this Court enter.

WHEREFORE, the Parties, by counsel, request this Court dismiss Defendant Cannon Moss and enter the Parties’ Proposed Order, attached as **Exhibit 1**.

Respectfully submitted this 18th day of March, 2020.

CANNON MOSS

By his attorneys,

/s/

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**NORFOLK SOUTHERN RAILWAY
COMPANY**

By its attorneys,

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**NORFOLK & PORTSMOUTH BELT
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CERTIFICATE OF SERVICE

I certify that on this 18th day of March, 2020, a true and correct copy of the foregoing was served via Notice of Electronic Filing by filing with the Court's CM/ECF System on all counsel of record.

/s/

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